IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OLYMPOS NAVIGATION COMPANY,	§	
Plaintiff,	§	
	§	
v.	§	C.A. NO. 4:14-CV-02397
	§	ADMIRALTY 9(h)
PARCELS OF CARGO ON BOARD M/V	§	
OLYMPOS, in rem, DALIAN SUNTIME	§	
INTERNATIONAL TRANSPORTATION	§	
CO., LIMITED, in personam; AND, AYERS	§	
MARITIME SERVICES, INC.	§	
Defendants.	§	

ORDER

UPON READING Plaintiffs-in-intervention Scorpio Ultramax Pool Ltd.'s and SBI Chartering and Trading, Ltd.'s (collectively "Scorpio") Verified Original Complaint in Intervention and Ex Parte Motion for Order Authorizing Issuance of Process of Maritime Writ of Attachment and Garnishment and Motions for Leave to Serve Later Identified Garnishees and Deem Service Continuous, the Court finds that the conditions for an action under Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions to the Federal Rules of Civil Procedure ("Rule B") appear to exist,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of Court is authorized to issue a Writ of Attachment and Garnishment as prayed for in the Verified Original Complaint In Intervention; and

IT IS FURTHER ORDERED that a copy of this Order be attached to and served with the said Writ of Attachment and Garnishment; and

IT IS FURTHER ORDERED that the Clerk of Court is authorized to issue a Writ of Attachment and Garnishment over the property, goods chattels, credits and/or effects of Dalian

Suntime International Transportation Co., Limited or freights/sub-freights pertaining to the cargo being carried aboard the M/V OLYMPOS that is being held or otherwise controlled by Defendant Dalian Suntime International Transportation Co., Limited located within the District, as well as any bunkers in the District belonging to Dalian Suntime that are in the care, custody and control of garnishee Olympos Navigation Company. Accordingly, Olympos Navigation Company and any other garnishes are hereby ordered to refrain from releasing or otherwise utilizing, burning or disposing of any tangible or intangible property belonging to Dalian Suntime in their care, custody or control pending further order of this Court and/or notification by the U.S. Marshal or special appointee, unless at the direction and with the consent of Scorpio. Olympos Navigation Company may consume Light Sulphur Fuel Oil (LFSO) and Diesel Oil (DO) on board the M/V OLYMPOS, alleged to be owned by Dalian Suntime International Transportation Co., Limited, for ordinary and customary vessel operations while at its berth. Notwithstanding the foregoing, if the conditions of this order are otherwise followed and property belonging to Dalian Suntime International Transportation Co., Limited is onboard a vessel, such vessel shall be free to move within the confines of the Port of Houston to continue cargo operations so long as such movement does not interfere with or otherwise utilize, burn or waste any property of Dalian Suntime International Transportation Co., Limited that is on board such vessel, including, but not limited to, bunkers; and

IT IS FURTHER ORDERED that Scorpio is authorized to release or instruct the Marshal to release any property subject to attachment or garnishment without further leave of Court; and

IT IS FURTHER ORDERED that in order to avoid the need to repetitively serve the garnishee(s) continuously throughout the day, any copy of the Process of Maritime Attachment and Garnishment that is served on any of the garnishees herein is deemed effective and

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continuous throughout any given day, and subsequent service of process is authorized via facsimile or email following initial *in personam* service; and

IT IS FURTHER ORDERED that Scorpio agrees to release and hold harmless, and indemnify the United States of America, the United States Marshal, their agents, servants, employees, and all others form whom they are responsible from any and all liability or responsibility for claims arising from the arrest or attachment of the property.

Signed in Houston, Texas on August 29, 2014.

_____
Gray H. Miller
United States District Judge